

12/12/01

TRANSMITTAL LETTER TO THE UNITED STATES RECEIVING OFFICE

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|-------------------------------|--------------------|
| Date | December 12, 2001 |
| International Application No. | PCT/EP00/05036 |
| Attorney Docket No. | No-6837/LeA 33,565 |

Certification under 37 CFR 1.10 (if applicable)

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|-----------------------------|
| ET700176545US |
| Express Mail mailing number |

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|-------------------|
| 10/018177 |
| December 12, 2001 |
| Date of Deposit |

I hereby certify that the application/correspondence attached hereto is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to Assistant Commissioner for Patents, Washington, DC 20231.

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| <i>Donna J. Veatch</i> |
| Signature of person mailing correspondence |

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|--|
| Donna J. Veatch |
| Typed or printed name of person mailing correspondence |

II. ☒ New International Application

| | |
|-------|--|
| TITLE | POLYUREA POLYURETHANES HAVING IMPROVED PHYSICAL PROPERTIES |
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| |
|---------------------------------------|
| Earliest priority date (Day/Mon/Year) |
| 15 June 1999 (15.06.99) |

SCREENING DISCLOSURE INFORMATION: In order to assist in screening the accompanying international application for purposes of determining whether a license for foreign transmittal should and could be granted and for other purposes, the following information is supplied. (Note: check as many boxes as apply):

- A. ☒ The invention disclosed was not made in the United States.
- B. ☒ There is no prior U.S. application relating to this invention.
- C. ☐ The following prior U.S. application(s) contain subject matter which is related to the invention disclosed in the attached international application. (NOTE: priority to these applications may or may not be claimed on form PCT/RO/101 (Request) and this listing does not constitute a claim for priority.)

| | | | |
|-----------------|--|----------|--|
| application no. | | filed on | |
| application no. | | filed on | |

- D. ☐ The present international application ☐ contains additional subject matter not found in the prior U.S. application(s) identified in paragraph C. above. The additional subject matter is found on pages and ☐ DOES NOT ALTER ☐ MIGHT BE CONSIDERED TO ALTER the general nature of the invention in a manner which would require the U.S. application to have been made available for inspection by the appropriate defense agencies under 35 U.S.C. 181 and 37 CFR 5.1. See 37 CFR 5.15

III. ☐ A Response to an Invitation from the RO/US. The following document(s) is(are) enclosed:

- A. ☐ A Request for An Extension of Time to File a Response
- B. ☐ A Power of Attorney (General or Regular)
- C. ☐ Replacement pages:

| | | | | | |
|-------|--|-----------------------------|-------|--|-----------------|
| pages | | of the request (PCT/RO/101) | pages | | of the figures |
| pages | | of the description | pages | | of the abstract |
| pages | | of the claims | | | |

- D. ☐ Submission of Priority Documents

| | | | |
|-------------------|--|-------------------|--|
| Priority document | | Priority document | |
|-------------------|--|-------------------|--|

- E. ☐ Fees as specified on attached Fee Calculation sheet form PCT/RO/101 annex

IV. ☐ A Request for Rectification under PCT 91 ☐ A Petition ☐ A Sequence Listing Diskette

- V. ☐ Other (please specify): Preliminary Amendment w/abstract; PTO Form 1449 w/references listed thereon

The person signing this form is the:

| | |
|--|---------------------------|
| <input type="checkbox"/> Applicant | Lyndanne M. Whalen |
| <input checked="" type="checkbox"/> Attorney/Agent (Reg. No.) 29,457 | Typed name of signer |
| <input type="checkbox"/> Common Representative | <i>Lyndanne M. Whalen</i> |
| | Signature |

FORM PTO-1390
(REV. 9-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

Mo-6837/LeA 33,565

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

To Be Assigned 10,008,177

INTERNATIONAL APPLICATION NO.

INTERNATIONAL FILING DATE

PRIORITY DATE CLAIMED

PCT/EP00/05036

02 June 2000 (2.06.00)

15 June 1999 (15.06.99)

TITLE OF INVENTION

POLYUREA POLYURETHANES HAVING IMPROVED PHYSICAL PROPERTIES

APPLICANT(S) FOR DO/EO/US ARNTZ, Hans-Detlef; BRECHT, Klaus; JOHN, Bernhard; SEIFERT, Peter and SCHNEIDER, Michael

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:

PTO Form 1449 w/references listed thereon

| | | |
|---|-------------------------------|---------------------------|
| U.S. APPLICATION NO. (If known, enter FR) | INTERNATIONAL APPLICATION NO. | ATTORNEY'S DOCKET NUMBER |
| To Be Assigned 10/018177 | PCT/EP00/05036 | Mo-6837/LeA 33,565 |

21. ☒ The following fees are submitted:

BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO. \$1040.00

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO \$890.00

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) \$710.00

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) \$100.00

ENTER APPROPRIATE BASIC FEE AMOUNT =

| CALCULATIONS PTO USE ONLY | |
|---------------------------|--------|
| \$ | 890.00 |

Surcharge of \$130.00 for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492(e)).

| CLAIMS | NUMBER FILED | NUMBER EXTRA | RATE |
|---|--------------|--------------|------------|
| Total claims | 12 - 20 = | 0 | x \$18.00 |
| Independent claims | 1 - 3 = | 0 | x \$84.00 |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable) | | | + \$280.00 |

TOTAL OF ABOVE CALCULATIONS =

☒ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.

SUBTOTAL =

Processing fee of \$150.00 for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

| | |
|----------------------|--|
| TOTAL NATIONAL FEE = | |
|----------------------|--|

fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00 per property +**

TOTAL FEES ENCLOSED =

| | |
|------------------------|----|
| Amount to be refunded: | \$ |
| charged: | \$ |

- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☒ Please charge my Deposit Account No. 13-3848 in the amount of \$ 930.00 to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 13-3848. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:
Lyndanne M. Whalen
Bayer Patent Department
100 Bayer Plaza
Pittsburgh, PA 15205-9741
USA

SIGNATURE Lyndanne M. Whalen

NAME Lyndanne M. Whalen

REGISTRATION NUMBER 29,457